

ASSIGNED

NO. 64445

APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office SEP 10 1998

Returned to applicant for correction _____

Corrected application filed _____

Map filed SEP 11 1998

The applicant **North Valley Holdings, LLC**, hereby makes application for permission to change the **Point of Diversion, Manner and Place of Use of a Portion of** of water heretofore appropriated under **Claims 431/432** of that certain decree entitled **"United States of America, Plaintiff, vs. Orr Water Ditch Company, et al., Defendants, in Equity Docket A-3"**

1. The source of water is **Truckee River**
2. The amount of water to be changed **14.3671 ac-feet (3.3805 acres)**
3. The water to be used for **municipal & domestic purposes**
4. The water heretofore permitted for **As Decreed purposes**
5. The water is to be diverted at the following point **Refer to Exhibit "A"**
6. The existing permitted point of diversion is located within **Cochran Ditch, from the South Bank of Truckee River within the NW ¼ SE ¼, Section 11, T.19N., R.19E., M.D.B. & M., at a point from which the NW Corner of Section 14, T.19N., R.19E., M.D.B. & M., bears S 69° 15' W., a distance of 3640.0 ft.**
7. Proposed place of use **See Exhibit "B"**
8. Existing place of use **See Exhibit "B"**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **As Decreed.**
11. Description of proposed works **Water will be diverted by existing SPPCo facilities and placed into their system**
12. Estimated cost of works **\$233,000,000.00**
13. Estimated time required to construct works **Completed**
14. Estimated time required to complete the application of water to beneficial use **Ten (10) years**
15. Remarks: **See Exhibit "C"**

By **Gregory M. Bilyeu**
s/**Gregory M. Bilyeu**
P.O. Box 70458
Reno, Nevada 89570-0458

Compared dl/cms ag/sam

Protested 12/14/1998 Churchill County, wdn 06/21/99

64445

 APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of the Truckee River as heretofore granted under Claim 431, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0523 cubic feet per second, but not to exceed 13.41 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

November 5, 2014

Proof of the application of water to beneficial use shall be filed on or before:

December 5, 2014

Map in support of proof of beneficial use shall be filed on or before:

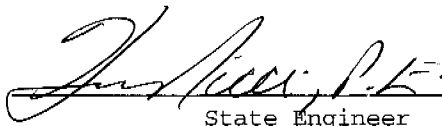
N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 5th day of November, A.D. 2004


State Engineer

Completion of work filed MAR 12 1997 under 60929

Proof of beneficial use filed -

Cultural map filed N/A

Certificate No. _____ Issued _____

EXHIBIT "A"

The following describes the multiple points of diversion for Sierra Pacific Power Company Water Treatment Plants, which are shown on the map accompanying Application No. 58882 on file with the State of Nevada, Division of Water Resources, more particularly described as follows:

STEAMBOAT CANAL (HUNTER CREEK RESERVOIR):

The existing point of diversion is situated within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of Section 31, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 31 bears South 62°04' East, a distance of 3,195.00 feet.

HIGHLAND DITCH (HIGHLAND RESERVOIR):

The existing point of diversion is situated within the Southwest one-quarter of the Southeast one-quarter (SW1/4 SE1/4) of Section 9, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 9 bears South 75°16' East, a distance of 1,650.00 feet.

IDLEWILD TREATMENT PLANT:

The existing point of diversion is situated within the Southeast one-quarter of the Southeast one-quarter (SE1/4 SE1/4) of Section 10, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 10 bears South 69°57'58" East, a distance of 842.34 feet.

NORTH TRUCKEE DITCH (GLENDALE TREATMENT PLANT):

The existing point of diversion is situated within the Southwest one-quarter of the Northeast one-quarter (SW1/4 NE1/4) of Section 7, T.19N., R.20E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Northeast corner of said Section 7 bears North 39°28' East, a distance of 3,015.00 feet.

ORR DITCH PUMP STATION (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situated within the Northeast one-quarter of the Southeast one-quarter (NE1/4 SE1/4) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada from said point of diversion the Northeast corner of said Section 17 bears North 15°39'36" East, a distance of 3,264.77 feet.

ORR DITCH (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situated within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada from said point of diversion the Southwest corner of said Section 17 bears South 44°40' West, a distance of 3,211.00 feet.

EXHIBIT "B"
PROPOSED PLACE OF USE

<u>SUBDIVISION</u>	<u>SECTION</u>	<u>T-N</u>	<u>R-E</u>	
ALL	1 - 5	18	18	M.D.B. & M.
E 1/2	6 & 7	18	18	M.D.B. & M.
ALL	8 - 17	18	18	M.D.B. & M.
E 1/2	18 & 19	18	18	M.D.B. & M.
ALL	20 - 29	18	18	M.D.B. & M.
E 1/2	30 & 31	18	18	M.D.B. & M.
ALL	32 - 36	18	18	M.D.B. & M.
ALL	1 - 5	19	18	M.D.B. & M.
E 1/2	6 & 7	19	18	M.D.B. & M.
ALL	8 - 17	19	18	M.D.B. & M.
E 1/2	18 & 19	19	18	M.D.B. & M.
ALL	20 - 29	19	18	M.D.B. & M.
E 1/2	30 & 31	19	18	M.D.B. & M.
ALL	32 - 36	19	18	M.D.B. & M.
ALL	1 - 5	20	18	M.D.B. & M.
E 1/2	6 & 7	20	18	M.D.B. & M.
ALL	8 - 17	20	18	M.D.B. & M.
E 1/2	18 & 19	20	18	M.D.B. & M.
ALL	20 - 29	20	18	M.D.B. & M.
E 1/2	30 & 31	20	18	M.D.B. & M.
ALL	32 - 36	20	18	M.D.B. & M.
ALL	1 - 5	21	18	M.D.B. & M.
E 1/2	6 & 7	21	18	M.D.B. & M.
ALL	8 - 17	21	18	M.D.B. & M.
E 1/2	18 & 19	21	18	M.D.B. & M.
ALL	20 - 29	21	18	M.D.B. & M.
E 1/2	30 & 31	21	18	M.D.B. & M.
ALL	32 - 36	21	18	M.D.B. & M.
ALL	1 - 36	18	19	M.D.B. & M.
ALL	1 - 36	19	19	M.D.B. & M.
ALL	1 - 36	20	19	M.D.B. & M.
ALL	1 - 36	21	19	M.D.B. & M.
ALL	2 - 35	18	20	M.D.B. & M.
W 1/2	36	18	20	M.D.B. & M.
ALL	1 - 12	19	20	M.D.B. & M.

EXHIBIT "B"
PROPOSED PLACE OF USE

<u>SUBDIVISION</u>	<u>SECTION</u>	<u>T-N</u>	<u>R-E</u>	
ALL	14 - 23	19	20	M.D.B. & M.
ALL	26 - 35	19	20	M.D.B. & M.
ALL	1 - 36	20	20	M.D.B. & M.
ALL	1 - 36	21	20	M.D.B. & M.
ALL	1 - 36	20	21	M.D.B. & M.
ALL	1 - 36	21	21	M.D.B. & M.

PLEASE REFER TO THE MAP ON FILE UNDER APPLICATION 62141 TO ILLUSTRATE THE PROPOSED PLACE OF USE.

EXHIBIT "B"
Existing Place of Use, Claims 431 & 432

15.2 acres, NW ¼ SW ¼, Section 13, T.19N., R.19E., M.D.B. & M.
 4.0 acres, SW ¼ SW ¼, Section 13, T.19N., R.19E., M.D.B. & M.
 38.6 acres, NE ¼ SW ¼, Section 13, T.19N., R.19E., M.D.B. & M.
 38.5 acres, SE ¼ SW ¼, Section 13, T.19N., R.19E., M.D.B. & M.
 16.9 acres, NW ¼ NE ¼, Section 24, T.19N., R.19E., M.D.B. & M.
 23.1 acres, NW ¼ NE ¼, Section 24, T.19N., R.19E., M.D.B. & M.
 38.8 acres, NE ¼ NE ¼, Section 24, T.19N., R.19E., M.D.B. & M.

175.10 acres total

3.3805 acres being removed from irrigation within the SW ¼, Section 13, T.19N., R.19E., M.D.B. & M. and appurtenant to the following Washoe County APNs:

- ✓ 0.2571 acres, NW ¼ SW ¼ (APN 14-073-14, portion of 14-232-13)
- ✓ 0.6234 acres, SW ¼ SW ¼ (portion of APN 14-232-13)
- ✓ 1.8541 acres, NE ¼ SW ¼ (APNs 13-371-07 & 08, 13-373-05 & 19, 13-411-10, 13-413-16 & 20)
- 0.6459 acres, SE ¼ SW ¼ (13-412-05, 13-414-15, 13-451-02)

✓ 3.3805 acres total

Please refer to maps on file under the Truckee River Decree for the existing point of diversion.

EXHIBIT "C"

This application is being filed to change the point of diversion, manner and place of use of a portion of Claims 431 & 432 of the Truckee River as detailed in that certain decree entitled "United State of America, Plaintiff, vs. Orr Water Ditch Company, et al., Defendants, in Equity Docket A-3. Claim 432 is a supplemental claim for drain and waste waters allowed from all sources and appurtenant to the lands described under the place of use of Claim 431.

Said water will be placed into the Sierra Pacific Power Company system for use within the place of use described in Exhibit "B"

Please utilize the map(s) on file under Permit 58882 for the Proposed Points of Diversion. Please utilize the map(s) on file under Application 62141 for the Proposed Place of Use.